

# House File 793 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 335)  
(SUCCESSOR TO HSB 8)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to administration of regional transportation by  
2 regional transit districts and of highways and regulation of  
3 motor vehicles by the state department of transportation,  
4 including provisions relating to the placement of advertising  
5 devices along primary highways, qualifications of property  
6 appraisers, state standards for land surveying, destruction of  
7 suspended or revoked driver's licenses, requirements for a  
8 temporary restricted driver's license, registration and  
9 titling of vehicles, special registration plates related to  
10 military service and allocation of fees, antique motor vehicle  
11 registration plates and fees, licensing of motor vehicle  
12 dealers, motor carrier registration and fuel tax liability,  
13 motor vehicle enforcement near construction areas, the maximum  
14 length limitation for single trucks, requirements for  
15 operation of certain self-propelled implements of husbandry on  
16 secondary roads, and disposition of regional transit district  
17 tax revenues collected by a county treasurer, and providing  
18 effective dates.  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
20 TLSB 1106HZ 82  
21 dea/gg/14

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1 1 DIVISION I  
1 2 HIGHWAYS

1 3 Section 1. Section 306C.11, subsection 2, Code 2007, is  
1 4 amended to read as follows:

1 5 2. Advertising devices concerning activities conducted on  
1 6 the property on which they are located, nor shall the property  
1 7 upon which they are located be construed to mean located upon  
1 8 any contiguous area having inconsistent use, size, shape, or  
1 9 ownership. However, businesses located within the limits of a  
1 10 commercial or industrial development may be advertised on a  
1 11 sign located anywhere within the development regardless of  
1 12 land ownership.

1 13 Sec. 2. Section 543D.3, unnumbered paragraph 2, Code 2007,  
1 14 is amended to read as follows:

1 15 A person who is not a certified real estate appraiser under  
1 16 this chapter may appraise real estate for compensation if  
1 17 certification is not required by this chapter or by federal or  
1 18 state law, rule, or policy. However, an employee of the state  
1 19 department of transportation whose duties include appraisals  
1 20 of property pursuant to chapter 6B must be a certified real  
1 21 estate appraiser under this chapter or an associate real  
1 22 estate appraiser registered by the board and acting under the  
1 23 direct supervision of a certified real estate appraiser.

1 24 DIVISION II

1 25 LAND SURVEYING STANDARDS

1 26 Sec. 3. Section 355.5, subsection 4, Code 2007, is amended  
1 27 to read as follows:

1 28 4. Distances shall be shown in decimal feet in accordance  
1 29 with the definition of the ~~international~~ U.S. survey foot.  
1 30 Distance measurements shall refer to the horizontal plane.

1 31 Sec. 4. Section 355.7, subsection 10, Code 2007, is  
1 32 amended to read as follows:

1 33 10. Distance shall be shown in decimal feet in accordance  
1 34 with the definition of the ~~international~~ U.S. survey foot.  
1 35 Distance measurements shall refer to the horizontal plane.

2 1 Sec. 5. Section 355.8, subsection 13, Code 2007, is

2 2 amended to read as follows:

2 3 13. Distances shall be shown in feet to at least the  
2 4 nearest one-tenth of a foot in accordance with the definition  
2 5 of the ~~international~~ U.S. survey foot. Distance measurements  
2 6 shall refer to the horizontal plane.

2 7 DIVISION III  
2 8 MOTOR VEHICLES

2 9 Sec. 6. Section 35A.11, Code 2007, is amended to read as  
2 10 follows:

2 11 35A.11 VETERANS LICENSE FEE FUND.

2 12 A veterans license fee fund is created in the state  
2 13 treasury under the control of the commission. ~~The fund shall~~  
2 14 ~~include the fees credited by the treasurer of state from the~~  
2 15 ~~sale of special veteran license plates pursuant to section~~  
2 16 ~~321.34, subsection 13, paragraph "d".~~ Notwithstanding section  
2 17 12C.7, interest or earnings on moneys in the veterans license  
2 18 fee fund shall be credited to the veterans license fee fund.  
2 19 Moneys in the fund are appropriated to the commission to be  
2 20 used to fulfill the responsibilities of the commission. ~~The~~  
2 21 ~~fund shall include the fees credited by the treasurer of state~~  
2 22 ~~from the sale of the following special motor vehicle~~  
2 23 ~~registration plates:~~

2 24 1. ~~Veteran special plates issued pursuant to section~~  
2 25 ~~321.34, subsection 13, paragraph "d".~~

2 26 2. ~~National guard special plates issued pursuant to~~  
2 27 ~~section 321.34, subsection 16.~~

2 28 3. ~~Pearl Harbor special plates issued pursuant to section~~  
2 29 ~~321.34, subsection 17.~~

2 30 4. ~~Purple heart special plates issued pursuant to section~~  
2 31 ~~321.34, subsection 18.~~

2 32 5. ~~United States armed forces retired special plates~~  
2 33 ~~issued pursuant to section 321.34, subsection 19.~~

2 34 6. ~~Silver star and bronze star special plates issued~~  
2 35 ~~pursuant to section 321.34, subsection 20.~~

3 1 7. ~~Distinguished service cross, navy cross, and air force~~  
3 2 ~~cross special plates issued pursuant to section 321.34,~~  
3 3 ~~subsection 20A.~~

3 4 8. ~~Soldier's medal, sailor's medal, navy and marine corps~~  
3 5 ~~medal, and airman's medal special plates issued pursuant to~~  
3 6 ~~section 321.34, subsection 20B.~~

3 7 Sec. 7. Section 321.16, Code 2007, is amended by adding  
3 8 the following new unnumbered paragraph:  
3 9 NEW UNNUMBERED PARAGRAPH. If a peace officer serves notice  
3 10 of immediate suspension or revocation of a driver's license as  
3 11 provided in this chapter or any other chapter, the peace  
3 12 officer may destroy the license or send the license to the  
3 13 department.

3 14 Sec. 8. Section 321.24, subsection 11, Code 2007, is  
3 15 amended to read as follows:

3 16 11. If the county treasurer or department is not satisfied  
3 17 as to the ownership of the vehicle or that there are no  
3 18 undisclosed security interests in it, or a junking certificate  
3 19 has been issued for the vehicle but a certificate of title  
3 20 will not be reissued under section 321.52, subsection 3, and  
3 21 the vehicle qualifies as an antique vehicle under section  
3 22 321.115, subsection 1, the county treasurer or department may  
3 23 register the vehicle but shall, as a condition of issuing a  
3 24 certificate of title and registration receipt, require the  
3 25 applicant to file with the department a bond in the form  
3 26 prescribed by the department and executed by the applicant,  
3 27 and either accompanied by the deposit of cash with the  
3 28 department or also executed by a person authorized to conduct  
3 29 a surety business in this state. The owner of a vehicle  
3 30 subject to the bond requirements of this subsection shall  
3 31 apply for a certificate of title and registration for the  
3 32 vehicle at the county treasurer's office within thirty days of  
3 33 issuance of written authorization from the department. The  
3 34 bond shall be in an amount equal to one and one-half times the  
3 35 current value of the vehicle as determined by the department  
4 1 and conditioned to indemnify any prior owner and secured party  
4 2 and any subsequent purchaser of the vehicle or person  
4 3 acquiring any security interest in it, and their respective  
4 4 successors in interest, against any expense, loss, or damage,  
4 5 including reasonable attorney fees, by reason of the issuance  
4 6 of the certificate of title of the vehicle or on account of  
4 7 any defect in or undisclosed security interest upon the right,  
4 8 title, and interest of the applicant in and to the vehicle.  
4 9 Any such interested person has a right of action to recover on  
4 10 the bond for any breach of its conditions, but the aggregate  
4 11 liability of the surety to all persons shall not exceed the  
4 12 amount of the bond. The bond, and any deposit accompanying

4 13 it, shall be returned at the end of three years or ~~prior~~  
4 14 ~~thereto earlier~~ if the vehicle is no longer registered in this  
4 15 state and the currently valid certificate of title is  
4 16 surrendered to the department, unless the department has been  
4 17 notified of the pendency of an action to recover on the bond.  
4 18 The department may authorize issuance of a certificate of  
4 19 title as provided in this subsection for a vehicle with an  
4 20 unreleased security interest upon presentation of satisfactory  
4 21 evidence that the security interest has been extinguished ~~and~~  
4 22 ~~or that~~ the holder of the security interest cannot be located  
4 23 to release the security interest as provided in section  
4 24 321.50.

4 25 Sec. 9. Section 321.34, subsection 8, Code 2007, is  
4 26 amended to read as follows:

4 27 8. ~~CONGRESSIONAL~~ MEDAL OF HONOR PLATES. The owner of a  
4 28 motor vehicle subject to registration under section 321.109,  
4 29 subsection 1, motorcycle, trailer, or motor truck who has been  
4 30 awarded the ~~congressional~~ medal of honor may, upon written  
4 31 application to the department, order special registration  
4 32 plates which shall be red, white, and blue in color and shall  
4 33 bear an emblem of the ~~congressional~~ medal of honor and an  
4 34 identifying number. Each applicant applying for special  
4 35 registration plates under this subsection may purchase only  
5 1 one set of registration plates under this subsection. The  
5 2 application is subject to approval by the department and the  
5 3 special registration plates shall be issued to the applicant  
5 4 in exchange for the registration plates previously issued to  
5 5 the person. The special plates are subject to an annual  
5 6 registration fee of fifteen dollars. The department shall  
5 7 validate the special plates in the same manner as regular  
5 8 registration plates are validated under this section. The  
5 9 department shall not issue special registration plates until  
5 10 service organizations in the state have furnished the  
5 11 department either the special dies or the cost of the special  
5 12 dies necessary for the manufacture of the special registration  
5 13 plate.

5 14 The surviving spouse of a person who was issued special  
5 15 plates under this subsection may continue to use the special  
5 16 plates subject to registration of the special plates in the  
5 17 surviving spouse's name and upon payment of the fifteen dollar  
5 18 annual registration fee. If the surviving spouse remarries,  
5 19 the surviving spouse shall return the special plates to the  
5 20 department and the department shall issue regular registration  
5 21 plates to the surviving spouse.

5 22 Sec. 10. Section 321.34, subsection 12A, paragraph a, Code  
5 23 2007, is amended to read as follows:

5 24 a. The owner is eligible for, but has relinquished to the  
5 25 department or the county treasurer or has not been issued,  
5 26 ~~congressional~~ medal of honor, ex-prisoner of war, or legion of  
5 27 merit special registration plates under this section, or  
5 28 disabled veteran registration plates under section 321.105.

5 29 Sec. 11. Section 321.34, subsection 15, unnumbered  
5 30 paragraph 1, Code 2007, is amended to read as follows:

5 31 The owner of a motor vehicle subject to registration under  
5 32 section 321.109, subsection 1, motorcycle, trailer, or motor  
5 33 truck, who has been awarded the legion of merit ~~may~~ shall be  
5 34 ~~issued one set of special registration plates with a legion of~~  
5 35 ~~merit processed emblem~~, upon written application to the

6 1 department and presentation of satisfactory proof of the award  
6 2 of the legion of merit as established by the Congress of the  
6 3 United States, ~~order special registration plates with a legion~~  
6 4 ~~of merit processed emblem~~. The emblem shall be designed by  
6 5 the department in cooperation with the adjutant general and  
6 6 shall signify that the owner was awarded the legion of merit.  
6 7 The application is subject to approval by the department, in  
6 8 consultation with the adjutant general. The special plates  
6 9 shall be issued at no charge and are subject to an annual  
6 10 registration fee of fifteen dollars. The county treasurer  
6 11 shall validate the special plates in the same manner as  
6 12 regular registration plates are validated under this section.

6 13 Sec. 12. Section 321.34, subsections 16, 17, 18, 19, and  
6 14 20, Code 2007, are amended to read as follows:

6 15 16. NATIONAL GUARD SPECIAL PLATES. An owner referred to  
6 16 in subsection 12 who is a member of the national guard, as  
6 17 defined in chapter 29A, may, upon written application to the  
6 18 department, order special registration plates with a national  
6 19 guard processed emblem with the emblem designed by the  
6 20 department in cooperation with the adjutant general which  
6 21 emblem signifies that the applicant is a member of the  
6 22 national guard. The application shall be approved by the  
6 23 department in consultation with the adjutant general. The

6 24 special plate fees collected by the director under subsection  
6 25 12, paragraph "a", from the issuance and annual validation of  
6 26 letter-number designated and personalized national guard  
6 27 plates shall be paid monthly to the treasurer of state and  
6 28 credited to the road use tax fund. Notwithstanding section  
6 29 423.43, and prior to the crediting of revenues to the road use  
6 30 tax fund under section 423.43, subsection 1, paragraph "b",  
6 31 the treasurer of state shall transfer monthly from those  
6 32 revenues to the veterans license fee fund created in section  
6 33 35A.11 the amount of the special fees collected in the  
6 34 previous month for national guard plates. Special  
6 35 registration plates with a national guard processed emblem  
7 1 shall be surrendered, as provided in subsection 12, in  
7 2 exchange for regular registration plates upon termination of  
7 3 the owner's membership in the active national guard.  
7 4 17. PEARL HARBOR SPECIAL PLATES. An owner referred to in  
7 5 subsection 12 who was at Pearl Harbor, Hawaii, as a member of  
7 6 the armed services of the United States on December 7, 1941,  
7 7 may, upon written application to the department, order special  
7 8 registration plates with a Pearl Harbor processed emblem. The  
7 9 emblem shall be designed by the department in consultation  
7 10 with service organizations. The application is subject to  
7 11 approval by the department. The special plate fees collected  
7 12 by the director under subsection 12, paragraph "a", from the  
7 13 issuance and annual validation of letter-number designated and  
7 14 personalized Pearl Harbor plates shall be paid monthly to the  
7 15 treasurer of state and credited to the road use tax fund.  
7 16 Notwithstanding section 423.43, and prior to the crediting of  
7 17 revenues to the road use tax fund under section 423.43,  
7 18 subsection 1, paragraph "b", the treasurer of state shall  
7 19 transfer monthly from those revenues to the veterans license  
7 20 fee fund created in section 35A.11 the amount of the special  
7 21 fees collected in the previous month for Pearl Harbor plates.  
7 22 18. PURPLE HEART SPECIAL PLATES. An owner referred to in  
7 23 subsection 12 who was awarded a purple heart medal by the  
7 24 United States government for wounds received in military or  
7 25 naval combat against an armed enemy of the United States may,  
7 26 upon written application to the department and presentation of  
7 27 satisfactory proof of the award of the purple heart medal,  
7 28 order special registration plates with a purple heart  
7 29 processed emblem. The design of the emblem shall include a  
7 30 representation of a purple heart medal and ribbon. The  
7 31 application is subject to approval by the department in  
7 32 consultation with the adjutant general. The special plate  
7 33 fees collected by the director under subsection 12, paragraph  
7 34 "a", from the issuance and annual validation of letter-number  
7 35 designated and personalized purple heart plates shall be paid  
8 1 monthly to the treasurer of state and credited to the road use  
8 2 tax fund. Notwithstanding section 423.43, and prior to the  
8 3 crediting of revenues to the road use tax fund under section  
8 4 423.43, subsection 1, paragraph "b", the treasurer of state  
8 5 shall transfer monthly from those revenues to the veterans  
8 6 license fee fund created in section 35A.11 the amount of the  
8 7 special fees collected in the previous month for purple heart  
8 8 plates.  
8 9 19. UNITED STATES ARMED FORCES RETIRED SPECIAL PLATES. An  
8 10 owner referred to in subsection 12 who is a retired member of  
8 11 the United States armed forces may, upon written application  
8 12 to the department and upon presentation of satisfactory proof  
8 13 of membership, order special registration plates with a United  
8 14 States armed forces retired processed emblem. The emblem  
8 15 shall be designed by the department in consultation with  
8 16 service organizations. The application is subject to approval  
8 17 by the department. For purposes of this subsection, a person  
8 18 is considered to be retired if the person is recognized by the  
8 19 United States armed forces as retired from the United States  
8 20 armed forces. The special plate fees collected by the  
8 21 director under subsection 12, paragraph "a", from the issuance  
8 22 and annual validation of letter-number designated and  
8 23 personalized armed forces retired plates shall be paid monthly  
8 24 to the treasurer of state and credited to the road use tax  
8 25 fund. Notwithstanding section 423.43, and prior to the  
8 26 crediting of revenues to the road use tax fund under section  
8 27 423.43, subsection 1, paragraph "b", the treasurer of state  
8 28 shall transfer monthly from those revenues to the veterans  
8 29 license fee fund created in section 35A.11 the amount of the  
8 30 special fees collected in the previous month for armed forces  
8 31 retired plates.  
8 32 20. SILVER OR BRONZE STAR PLATES. An owner referred to in  
8 33 subsection 12 who was awarded a silver or a bronze star by the  
8 34 United States government, may, upon written application to the

8 35 department and presentation of satisfactory proof of the award  
9 1 of the silver or bronze star, order special registration  
9 2 plates with a silver or bronze star processed emblem. The  
9 3 emblem shall be designed by the department in consultation  
9 4 with the adjutant general. The special plate fees collected  
9 5 by the director under subsection 12, paragraph "a", from the  
9 6 issuance and annual validation of letter-number designated and  
9 7 personalized silver star and bronze star plates shall be paid  
9 8 monthly to the treasurer of state and credited to the road use  
9 9 tax fund. Notwithstanding section 423.43, and prior to the  
9 10 crediting of revenues to the road use tax fund under section  
9 11 423.43, subsection 1, paragraph "b", the treasurer of state  
9 12 shall transfer monthly from those revenues to the veterans  
9 13 license fee fund created in section 35A.11 the amount of the  
9 14 special fees collected in the previous month for silver star  
9 15 and bronze star plates.

9 16 Sec. 13. Section 321.34, Code 2007, is amended by adding  
9 17 the following new subsections:  
9 18 NEW SUBSECTION. 20A. DISTINGUISHED SERVICE, NAVY, OR AIR  
9 19 FORCE CROSS PLATES. An owner referred to in subsection 12 who  
9 20 was awarded a distinguished service cross, a navy cross, or an  
9 21 air force cross by the United States government may, upon  
9 22 written application to the department and presentation of  
9 23 satisfactory proof of the award, order special registration  
9 24 plates with a distinguished service cross, navy cross, or air  
9 25 force cross processed emblem. The emblem shall be designed by  
9 26 the department in consultation with the adjutant general. The  
9 27 special plate fees collected by the director under subsection  
9 28 12, paragraph "a", from the issuance and annual validation of  
9 29 letter-number designated and personalized distinguished  
9 30 service cross, navy cross, and air force cross plates shall be  
9 31 paid monthly to the treasurer of state and credited to the  
9 32 road use tax fund. Notwithstanding section 423.43, and prior  
9 33 to the crediting of revenues to the road use tax fund under  
9 34 section 423.43, subsection 1, paragraph "b", the treasurer of  
9 35 state shall transfer monthly from those revenues to the  
10 1 veterans license fee fund created in section 35A.11 the amount  
10 2 of the special fees collected in the previous month for  
10 3 distinguished service cross, navy cross, and air force cross  
10 4 plates.

10 5 NEW SUBSECTION. 20B. SOLDIER'S, SAILOR'S, NAVY AND MARINE  
10 6 CORPS, OR AIRMAN'S MEDAL PLATES. An owner referred to in  
10 7 subsection 12 who was awarded a soldier's medal, a sailor's  
10 8 medal, a navy and marine corps medal, or an airman's medal by  
10 9 the United States government may, upon written application to  
10 10 the department and presentation of satisfactory proof of the  
10 11 award, order special registration plates with a soldier's  
10 12 medal, sailor's medal, navy and marine corps medal, or  
10 13 airman's medal processed emblem. The emblem shall be designed  
10 14 by the department in consultation with the adjutant general.  
10 15 The special plate fees collected by the director under  
10 16 subsection 12, paragraph "a", from the issuance and annual  
10 17 validation of letter-number designated and personalized  
10 18 soldier's medal, sailor's medal, navy and marine corps medal,  
10 19 and airman's medal plates shall be paid monthly to the  
10 20 treasurer of state and credited to the road use tax fund.  
10 21 Notwithstanding section 423.43, and prior to the crediting of  
10 22 revenues to the road use tax fund under section 423.43,  
10 23 subsection 1, paragraph "b", the treasurer of state shall  
10 24 transfer monthly from those revenues to the veterans license  
10 25 fee fund created in section 35A.11 the amount of the special  
10 26 fees collected in the previous month for soldier's medal,  
10 27 sailor's medal, navy and marine corps medal, and airman's  
10 28 medal plates.

10 29 Sec. 14. Section 321.52, subsection 4, paragraph a, Code  
10 30 2007, is amended to read as follows:  
10 31 a. A vehicle rebuilder or a person engaged in the business  
10 32 of buying, selling, or exchanging vehicles of a type required  
10 33 to be registered in this state, upon acquisition of a wrecked  
10 34 or salvage vehicle, shall surrender the certificate of title  
10 35 or manufacturer's or importer's statement of origin properly  
11 1 assigned, together with an application for a salvage  
11 2 certificate of title, to the county treasurer of the county of  
11 3 residence of the purchaser or transferee within thirty days  
11 4 after the date of assignment of the certificate of title for  
11 5 the wrecked or salvage motor vehicle. This subsection applies  
11 6 only to vehicles with a fair market value of five hundred  
11 7 dollars or more, based on the value before the vehicle became  
11 8 wrecked or salvage. Upon payment of a fee of two dollars, the  
11 9 county treasurer shall issue a salvage certificate of title  
11 10 which shall bear the word "SALVAGE" stamped or printed on the

11 11 face of the title in a manner prescribed by the department. A  
11 12 salvage certificate of title may be assigned to an educational  
11 13 institution, a new motor vehicle dealer licensed under chapter  
11 14 322, a person engaged in the business of purchasing bodies,  
11 15 parts of bodies, frames or component parts of vehicles for  
11 16 sale as scrap metal, a salvage pool, or an authorized vehicle  
11 17 recycler licensed under chapter 321H. An authorized vehicle  
11 18 recycler licensed under chapter 321H or a new motor vehicle  
11 19 dealer licensed under chapter 322 may assign or reassign ~~a~~ an  
11 20 Iowa salvage certificate of title or a salvage certificate of  
11 21 title from another state to any person, and the provisions of  
11 22 section 321.24, subsection 5, requiring issuance of an Iowa  
11 23 salvage certificate of title shall not apply. A vehicle on  
11 24 which ownership has transferred to an insurer of the vehicle  
11 25 as a result of a settlement with the owner of the vehicle  
11 26 arising out of damage to, or unrecovered theft of, the vehicle  
11 27 shall be deemed to be a wrecked or salvage vehicle and the  
11 28 insurer shall comply with this subsection to obtain a salvage  
11 29 certificate of title within thirty days after the date of  
11 30 assignment of the certificate of title of the vehicle.

11 31 Sec. 15. Section 321.112, Code 2007, is amended to read as  
11 32 follows:

11 33 321.112 MINIMUM MOTOR VEHICLE FEE.

11 34 No motor vehicle, except as provided in ~~sections 321.115~~  
11 35 ~~and section 321.117,~~ shall be registered for a registration  
12 1 year for less than ten dollars.

12 2 Sec. 16. Section 321.115, Code 2007, is amended by  
12 3 striking the section and inserting in lieu thereof the  
12 4 following:

12 5 321.115 ANTIQUE VEHICLES == MODEL YEAR PLATES PERMITTED.

12 6 1. A motor vehicle twenty-five years old or older may be  
12 7 registered as an antique vehicle upon payment of the fee  
12 8 provided for in section 321.113, 321.122, or 321.124. The  
12 9 owner of a motor vehicle registered under this subsection may  
12 10 display authentic Iowa registration plates from the model year  
12 11 of the motor vehicle, furnished by the person and approved by  
12 12 the department, in lieu of the current and valid Iowa  
12 13 registration plates issued for the vehicle, provided that the  
12 14 current and valid Iowa registration plates and the  
12 15 registration card issued for the vehicle are simultaneously  
12 16 carried within the vehicle and are available for inspection to  
12 17 any peace officer upon the officer's request.

12 18 2. The sale of a motor vehicle twenty years old or older  
12 19 which is primarily of value as a collector's item and not as  
12 20 transportation is not subject to chapter 322, and any person  
12 21 may sell such a vehicle at retail without a license as  
12 22 required under chapter 322.

12 23 3. Truck tractors and semitrailers used in combination for  
12 24 exhibition and educational purposes may be registered and  
12 25 driven according to the provisions of subsection 1. Truck  
12 26 tractors and semitrailers registered under this section shall  
12 27 not be used to haul loads.

12 28 4. A person convicted of a violation of this section is  
12 29 guilty of a simple misdemeanor punishable as a scheduled  
12 30 violation under section 805.8A, subsection 2, paragraph "b".

12 31 Sec. 17. Section 321.134, subsection 2, Code 2007, is  
12 32 amended to read as follows:

12 33 2. The annual registration fee for trucks, truck tractors,  
12 34 and road tractors, as provided in sections 321.121 and  
12 35 321.122, may be payable in two equal semiannual installments

13 1 if the annual registration fee exceeds the registration fee  
13 2 for a vehicle with a gross weight exceeding five tons. The  
13 3 penalties provided in subsection 1 shall be computed on the  
13 4 amount of the first installment only and on the first day of  
13 5 the seventh month of the registration period the same rate of  
13 6 penalty shall apply to the second installment, until the fee  
13 7 is paid. Semiannual installments do not apply to commercial  
13 8 vehicles, as defined under section 326.2, subject to  
13 9 proportional registration, with a base state other than the  
13 10 state of Iowa, as defined in section 326.2, subsection 1. The  
13 11 penalty on vehicles registered under chapter 326 accrues  
13 12 August 1 of each year except as provided in section 326.6.

13 13 The department shall not allow the registration fee for a  
13 14 commercial vehicle registered under chapter 326 to be paid in  
13 15 two equal semiannual installments for five years after the  
13 16 registrant has paid the registration fee late for two  
13 17 consecutive years.

13 18 Sec. 18. Section 321.166, subsections 2 and 9, Code 2007,  
13 19 are amended to read as follows:

13 20 2. Every registration plate or pair of plates shall  
13 21 display a registration plate number which shall consist of

13 22 alphabetical or numerical characters or a combination thereof  
13 23 and the name of this state, which may be abbreviated. Every  
13 24 registration plate issued by the county treasurer shall  
13 25 display the name of the county, including any plate issued  
13 26 pursuant to section 321.34, except Pearl Harbor and purple  
13 27 heart registration plates issued prior to January 1, 1997, and  
13 28 collegiate, fire fighter, and ~~congressional~~ medal of honor  
13 29 registration plates. Special truck registration plates shall  
13 30 display the word "special".

13 31 9. Special registration plates issued pursuant to section  
13 32 321.34 beginning January 1, 1997, other than ~~congressional~~  
13 33 medal of honor, collegiate, fire fighter, and natural  
13 34 resources registration plates, shall be consistent with the  
13 35 design and color of regular registration plates but shall  
14 1 provide a space on a portion of the plate for the purpose of  
14 2 allowing the placement of a distinguishing processed emblem.  
14 3 Special registration plates shall also comply with the  
14 4 requirements for regular registration plates as provided in  
14 5 this section to the extent the requirements are consistent  
14 6 with the section authorizing a particular special vehicle  
14 7 registration plate.

14 8 Sec. 19. Section 321.206, Code 2007, is amended to read as  
14 9 follows:

14 10 321.206 SURRENDER OF LICENSE == DUTY OF COURT.

14 11 If a person is convicted in court of an offense for which  
14 12 this chapter requires mandatory revocation of the person's  
14 13 driver's license or, if the person's license is a commercial  
14 14 driver's license and the conviction disqualifies the person  
14 15 from operating a commercial motor vehicle, the court shall  
14 16 require the person to surrender the driver's license held by  
14 17 the person and the court shall destroy the license or forward  
14 18 the license together with a record of the conviction to the  
14 19 department as provided in section 321.491.

14 20 Sec. 20. Section 321.285, Code 2007, is amended by adding  
14 21 the following new subsection:

14 22 NEW SUBSECTION. 7. Notwithstanding any other speed  
14 23 restrictions, a self-propelled implement of husbandry equipped  
14 24 with flotation tires that is designed to be loaded and  
14 25 operated in the field and used exclusively for the application  
14 26 of organic or inorganic plant food materials, agricultural  
14 27 limestone, or agricultural chemicals shall not be operated on  
14 28 a highway at a speed in excess of thirty-five miles per hour.

14 29 Sec. 21. NEW SECTION. 321.453A ENFORCEMENT NEAR  
14 30 CONSTRUCTION AREAS.

14 31 The provisions of this chapter governing size, weight, and  
14 32 load shall not be enforced for a construction vehicle that is  
14 33 entering or exiting a construction area on any portion of a  
14 34 highway within one thousand feet of the entrance to the  
14 35 construction area.

15 1 Sec. 22. Section 321.457, subsection 2, paragraph a,  
15 2 unnumbered paragraphs 1 and 2, Code 2007, are amended to read  
15 3 as follows:

15 4 A single truck, unladen or with load, shall not have an  
15 5 overall length, inclusive of front and rear bumpers, in excess  
15 6 of ~~forty~~ forty-one feet. When determining the overall length  
15 7 of a single truck, the following shall be excluded:

~~15 8 When determining the overall length of a single truck, the~~  
~~15 9 following shall be excluded:~~

15 10 Sec. 23. Section 321.463, subsection 4, paragraph a,  
15 11 unnumbered paragraph 1, Code 2007, is amended to read as  
15 12 follows:

15 13 Self-propelled implements of husbandry used exclusively for  
15 14 the application of organic or inorganic plant food materials,  
15 15 agricultural limestone, or agricultural chemicals, unless  
15 16 traveling under a permit issued pursuant to section 321E.8A,  
15 17 shall be operated in compliance with this section.

15 18 Sec. 24. Section 321E.2, unnumbered paragraph 1, Code  
15 19 2007, is amended to read as follows:

15 20 Annual, multi-trip, and single-trip permits shall be issued  
15 21 by the authority responsible for the maintenance of the system  
15 22 of highways or streets. However, the department may issue  
15 23 permits on primary road extensions in cities in conjunction  
15 24 with movements on the rural primary road system. The  
15 25 department may issue an all-system permit under section 321E.8  
15 26 which is valid for movements on all highways or streets under  
15 27 the jurisdiction of either the state or those local  
15 28 authorities which have indicated in writing to the department  
15 29 those streets or highways for which an all-system permit is  
15 30 not valid. The department may issue annual permits pursuant  
15 31 to section 321E.8A valid only for operation on noninterstate  
15 32 highways in counties stipulated in the permit.

15 33 Sec. 25. Section 321E.7, Code 2007, is amended by adding  
15 34 the following new subsection:  
15 35 NEW SUBSECTION. 4. Notwithstanding subsections 1 and 2, a  
16 1 self-propelled implement of husbandry traveling under a permit  
16 2 issued pursuant to section 321E.8A may exceed the maximum axle  
16 3 loads prescribed under section 321.463 only when operated  
16 4 unladen on a noninterstate highway in a county covered under  
16 5 the permit, provided the weight on any one axle does not  
16 6 exceed twenty-five thousand pounds, and provided the current  
16 7 and valid permit is carried in the vehicle. For purposes of  
16 8 this subsection, "noninterstate highway" does not include a  
16 9 bridge.

16 10 Sec. 26. NEW SECTION. 321E.8A SELF-PROPELLED IMPLEMENT  
16 11 OF HUSBANDRY == ANNUAL PERMIT.  
16 12 1. A self-propelled implement of husbandry equipped with  
16 13 flotation tires that is designed to be loaded and operated in  
16 14 the field and used exclusively for the application of organic  
16 15 or inorganic plant food materials, agricultural limestone, or  
16 16 agricultural chemicals, and that, as newly manufactured,  
16 17 exceeds the axle weight limits under section 321.463 when  
16 18 unloaded, may be operated on noninterstate highways, excluding  
16 19 bridges, in a county pursuant to a permit issued by the  
16 20 department for travel within the county. Prior to issuing a  
16 21 permit, the department shall collect a fee of six hundred  
16 22 dollars for each county in which the vehicle will be operated  
16 23 during the period of the permit beginning July 1 and ending  
16 24 June 30, provided that a permit shall not be issued for a  
16 25 vehicle for operation in more than ten counties and the total  
16 26 amount of fees collected for a vehicle for the period of the  
16 27 permit shall not exceed three thousand five hundred dollars.  
16 28 Moneys collected by the department on behalf of the counties  
16 29 in which the vehicle will be operated shall be allotted  
16 30 equally to those counties and deposited in the secondary road  
16 31 funds of those counties. A vehicle for which a permit is  
16 32 issued under this section shall be assigned a permit number  
16 33 that shall be displayed on the door of the vehicle in numbers  
16 34 that contrast sharply in color with the background on which  
16 35 the number is placed, be readily legible during daylight hours  
17 1 from a distance of fifty feet when the vehicle is stationary,  
17 2 and be maintained in a manner that retains the legibility.  
17 3 Only vehicles originally purchased or ordered prior to  
17 4 February 1, 2007, are eligible for a permit. New permits  
17 5 shall not be issued on or after July 1, 2007; however, a  
17 6 permit issued for a vehicle under this section prior to July  
17 7 1, 2007, may be renewed for that vehicle annually upon payment  
17 8 of the appropriate county fees.

17 9 2. A vehicle described in subsection 1 shall not be  
17 10 operated on a highway without a permit issued under this  
17 11 section. The owner of a vehicle that is operated in violation  
17 12 of section 321E.7, subsection 4, or this section is subject to  
17 13 a civil penalty of ten thousand dollars, in addition to any  
17 14 other penalties that may apply.

17 15 Sec. 27. Section 321J.4, subsection 9, paragraph d, Code  
17 16 2007, is amended to read as follows:

17 17 d. The court shall determine if the temporary restricted  
17 18 license is necessary for the person to maintain the person's  
17 19 present employment. However, a temporary restricted license  
17 20 shall not be ordered or issued for a violation of section  
17 21 321J.2A or to a person under the age of twenty-one whose  
17 22 license is revoked under this section or section 321J.9 or  
17 23 321J.12. If the court determines that the temporary  
17 24 restricted license is necessary for the person to maintain the  
17 25 person's present employment, and that the minimum period of  
17 26 ineligibility for receipt of a temporary license has expired,  
17 27 the court shall order the department to issue to the person a  
17 28 temporary restricted license conditioned upon the person's  
17 29 certification to the court of the installation of approved  
17 30 ignition interlock devices in all motor vehicles that it is  
17 31 necessary for the person to operate to maintain the person's  
17 32 present employment. A person whose driver's license or  
17 33 nonresident operating privilege has been revoked under section  
17 34 321J.21 may apply to the department for a temporary restricted  
17 35 license without the requirement of an ignition interlock  
18 1 device if at least twelve years have elapsed since the end of  
18 2 the underlying revocation period for a violation of section  
18 3 321J.2.

18 4 Sec. 28. Section 322.4, Code 2007, is amended to read as  
18 5 follows:

18 6 322.4 APPLICATION FOR LICENSE.

18 7 1. Each person before engaging in this state in the  
18 8 business of selling at retail motor vehicles or representing



18 9 or advertising that the person is engaged or intends to engage  
18 10 in such business in this state shall file in the office of the  
18 11 department an application for license as a motor vehicle  
18 12 dealer in the state in such form as the department may  
18 13 prescribe, duly verified by oath, which application shall  
18 14 include the following:

18 15 ~~1-~~ a. The name of the applicant and the applicant's  
18 16 principal place of business wherever situated, ~~and the~~  
18 17 ~~following, as appropriate:~~

18 18 ~~a-~~ (1) If the applicant is an ~~individual -- the~~  
18 19 ~~individual,~~ the name or style under which the individual  
18 20 intends to engage in such business.

18 21 ~~b-~~ (2) If the applicant is a ~~copartnership -- the~~  
18 22 ~~copartnership,~~ the name or style under which ~~such the~~  
18 23 copartnership intends to engage in such business and the name  
18 24 and ~~post-office~~ bona fide address of ~~each partner two~~  
18 25 ~~partners.~~

18 26 ~~c-~~ (3) If the applicant is a ~~corporation -- the~~  
18 27 ~~corporation,~~ the state of incorporation and the name and  
18 28 ~~post-office~~ bona fide address of ~~each officer and director~~  
18 29 ~~thereof two officers of the corporation.~~

18 30 ~~2-~~ b. The make or makes of new motor vehicles, if any,  
18 31 which the applicant will offer for sale ~~to at~~ retail in this  
18 32 state.

18 33 ~~3-~~ c. The location of each place of business within this  
18 34 state to be used by the applicant for the conduct of the  
18 35 applicant's business.

19 1 ~~4-~~ d. If the applicant is a party to any contract or  
19 2 agreement or understanding with any manufacturer or  
19 3 distributor of motor vehicles or is about to become a party to  
19 4 such a contract, agreement, or understanding, the applicant  
19 5 shall state the name of each such manufacturer ~~and or~~  
19 6 distributor and the make or makes of new motor vehicles, if  
19 7 any, which are the subject matter of each such contract.

19 8 ~~5-~~ e. A statement of the previous history, record, and  
19 9 association of the applicant and if the applicant is a  
19 10 copartnership, of each partner thereof, and if the applicant  
19 11 is a corporation, of each officer and director thereof, which  
19 12 statement shall be sufficient to establish to the department  
19 13 the reputation in business of the applicant.

19 14 ~~6-~~ f. A description of the general plan and method of  
19 15 doing business in this state, which the applicant will follow  
19 16 if the license applied for in such application is granted.

19 17 ~~7-~~ g. Before the issuance of a motor vehicle dealer's  
19 18 license to a dealer engaged in the sale of vehicles for which  
19 19 a certificate of title is required under chapter 321, the  
19 20 applicant shall furnish a surety bond executed by the  
19 21 applicant as principal and executed by a corporate surety  
19 22 company, licensed and qualified to do business within this  
19 23 state, which bond shall run to the state of Iowa, be in the  
19 24 amount of fifty thousand dollars and be conditioned upon the  
19 25 faithful compliance by the applicant as a dealer with all of  
19 26 the statutes of this state regulating or applicable to the  
19 27 business of a dealer in motor vehicles, and indemnifying any  
19 28 person who buys a motor vehicle from the dealer from any loss  
19 29 or damage occasioned by the failure of the dealer to comply  
19 30 with any of the provisions of chapter 321 and this chapter,  
19 31 including, but not limited to, the furnishing of a proper and  
19 32 valid certificate of title to the motor vehicle involved in a  
19 33 transaction. The bond shall also indemnify any motor vehicle  
19 34 purchaser from any loss or damage caused by the failure of the  
19 35 dealer to comply with the odometer requirements in section  
20 1 321.71, regardless of whether the motor vehicle was purchased  
20 2 directly from the dealer. The bond shall be filed with the  
20 3 department prior to the issuance of a license. The aggregate  
20 4 liability of the surety, however, shall not exceed the amount  
20 5 of the bond.

20 6 ~~8-~~ h. Proof that the applicant has financial liability  
20 7 coverage as defined in section 321.1, except that such  
20 8 coverage shall be in limits of not less than one hundred  
20 9 thousand dollars because of bodily injury to or death of one  
20 10 person in any one accident and, subject to the limit for one  
20 11 person, three hundred thousand dollars because of bodily  
20 12 injury to or death of two or more persons in any one accident,  
20 13 and fifty thousand dollars because of injury to or destruction  
20 14 of property of others in any one accident.

20 15 ~~9-~~ i. Such other information touching the business of the  
20 16 applicant as the department may require.

20 17 2. For the purpose of investigating the matters contained  
20 18 in such application, the department may withhold the granting  
20 19 of a license for a period not exceeding thirty days.

20 20 3. For purposes of this section, "bona fide address" means  
20 21 the same as defined in section 321.1.

20 22 Sec. 29. Section 322.7, subsection 1, Code 2007, is  
20 23 amended to read as follows:

20 24 1. If the department grants the application of any person  
20 25 for a license as a motor vehicle dealer, it shall evidence the  
20 26 granting thereof by a final order and shall issue to the  
20 27 person a license in such form as may be prescribed by the  
20 28 department, which license shall include the following:

20 29 ~~a. The name of the person licensed.~~

20 30 ~~b. a. If the applicant is an individual or a~~  
20 31 ~~copartnership -- the copartnership, the name or style under~~  
20 32 ~~which the licensee will engage in such business and if a~~  
20 33 ~~copartnership, the name and address of each partner.~~

20 34 ~~c. b. The principal place of business of the licensee and~~  
20 35 ~~location therein of each place wherein the licensee is~~  
21 1 ~~licensed to carry on such business.~~

21 2 ~~d. c. The make or makes of new motor vehicles which the~~  
21 3 ~~licensee is licensed to sell.~~

21 4 Sec. 30. Section 326.10A, Code 2007, is amended to read as  
21 5 follows:

21 6 326.10A PAYMENT BY CHECK.

21 7 The department shall accept payment of fees under this  
21 8 chapter by personal or corporate check. The fee shall be  
21 9 deemed to have been paid upon receipt of the check. If the  
21 10 check is not honored, all fees and penalties shall accumulate  
21 11 as if the fee was not paid. After appropriate warning from  
21 12 the department, the registration account shall be suspended,  
21 13 collection pursued, and the delinquent registration fees shall  
21 14 become a debt due the state of Iowa. After a dishonored check  
21 15 has been received from an applicant, payments submitted by the  
21 16 applicant during the following year must be made with  
21 17 guaranteed funds. However, the department may instead accept  
21 18 payment in the form of a corporate check made on behalf of the  
21 19 applicant from an approved company with a satisfactory payment  
21 20 history.

21 21 Sec. 31. Section 326.16, Code 2007, is amended by adding  
21 22 the following new subsection:

21 23 NEW SUBSECTION. 3. Failure to receive a renewal notice or  
21 24 an invoice by mail, facsimile transmission, or any other means  
21 25 of delivery does not relieve the registrant of the financial  
21 26 responsibility for the renewal fees, invoiced amount, or  
21 27 accrued penalties.

21 28 Sec. 32. NEW SECTION. 326.24 REGISTRATION DENIED OR  
21 29 SUSPENDED.

21 30 If the international fuel tax agreement license issued to  
21 31 an applicant or registrant under chapter 452A is suspended or  
21 32 revoked or if the director refuses to issue an international  
21 33 fuel tax agreement license because of unpaid debt, the  
21 34 director may deny or suspend the applicant's or registrant's  
21 35 registration under this chapter.

22 1 Sec. 33. Section 327B.1, Code 2007, is amended to read as  
22 2 follows:

22 3 327B.1 AUTHORITY SECURED AND REGISTERED.

22 4 1. a. It is unlawful for a carrier to perform an  
22 5 interstate transportation service for compensation upon the  
22 6 highways of this state without first registering the authority  
22 7 obtained from the United States department of transportation  
22 8 or evidence that such authority is not required with the state  
22 9 department of transportation.

22 10 ~~2. b.~~ The department shall participate in the single  
22 11 state insurance registration program for regulated motor  
22 12 carriers as provided in 49 U.S.C. } 14504 and United States  
22 13 department of transportation regulations.

22 14 ~~3. c.~~ Registration for carriers transporting commodities  
22 15 exempt from United States department of transportation  
22 16 regulation shall be granted without hearing upon application  
22 17 and payment of a twenty-five-dollar filing fee and an annual  
22 18 one-dollar fee per vehicle.

22 19 ~~4. d.~~ The state department of transportation may execute  
22 20 reciprocity agreements with authorized representatives of any  
22 21 state exempting nonresidents from payment of fees as set forth  
22 22 in this chapter. The state department of transportation shall  
22 23 adopt rules pursuant to chapter 17A for the identification of  
22 24 vehicles operated under reciprocity agreements.

22 25 ~~5. e.~~ Fees may be subject to reduction or proration  
22 26 pursuant to sections 326.5 and 326.32.

22 27 2. a. On and after the date on which the secretary of the  
22 28 United States department of transportation establishes the  
22 29 unified carrier registration system in accordance with Title  
22 30 49, United States Code, as amended by Pub. L. No. 109-59, a

22 31 foreign or domestic motor carrier, motor private carrier,  
22 32 leasing company, broker, or freight forwarder shall not  
22 33 operate any motor vehicle on the highways of this state  
22 34 without first registering the motor vehicle under the unified  
22 35 carrier registration system and paying all required fees.

23 1 b. The state department of transportation shall continue  
23 2 to require each interstate for-hire motor carrier to make an  
23 3 annual payment of one dollar per owned and operated vehicle  
23 4 for filings made with the state department of transportation  
23 5 under the single state registration system until the  
23 6 occurrence of the transition termination date in accordance  
23 7 with 49 U.S.C. } 13902(f), as amended by Pub. L. No. 109=59.

23 8 c. The state department of transportation may participate  
23 9 in the unified carrier registration plan and agreement  
23 10 established in accordance with 49 U.S.C. } 14504a, as amended  
23 11 by Pub. L. No. 109=59, and to file on behalf of the state the  
23 12 plan required by the provisions of 49 U.S.C. } 14504a(e).

23 13 6- 3. A motor carrier shall keep proper evidence of  
23 14 interstate authority in the motor vehicle being operated by  
23 15 the motor carrier and the motor carrier owner or driver shall  
23 16 make such evidence available to a peace officer upon request.

23 17 7- 4. A motor carrier owner or driver charged with  
23 18 failure to have proper evidence of interstate authority shall  
23 19 not be convicted of such violation and the citation shall be  
23 20 dismissed by the court if the person produces to the clerk of  
23 21 court prior to the date of such person's court appearance as  
23 22 indicated on the citation, proof of interstate authority  
23 23 issued to that person and valid at the time the person was  
23 24 charged with the violation under this section. Upon  
23 25 dismissal, the court or clerk of court shall assess the costs  
23 26 of the action against the defendant named on the citation.

23 27 Sec. 34. Section 327B.6, Code 2007, is amended by adding  
23 28 the following new unnumbered paragraph:

23 29 NEW UNNUMBERED PARAGRAPH. This section is repealed on the  
23 30 transition termination date referred to in section 327B.1,  
23 31 subsection 2, paragraph "b".

23 32 Sec. 35. Section 452A.54, unnumbered paragraph 4, Code  
23 33 2007, is amended to read as follows:

23 34 To determine the amount of fuel taxes due under this  
23 35 division and to prevent the evasion thereof, the state  
24 1 department of transportation shall require a quarterly report  
24 2 on forms prescribed by the state department of transportation.  
24 3 It shall be filed not later than the last day of the month  
24 4 following the quarter reported, and each quarter thereafter.  
24 5 These reports shall be required of all persons who have been  
24 6 issued a permit or license under this division and shall cover  
24 7 actual operation and fuel consumption in Iowa on the basis of  
24 8 the permit or license holder's average consumption of fuel in  
24 9 Iowa, determined by the total miles traveled and the total  
24 10 fuel purchased and consumed for highway use by the permittee's  
24 11 or licensee's commercial motor vehicles in the permittee's or  
24 12 licensee's entire operation in all states to establish an  
24 13 overall miles per gallon ratio, which ratio shall be used to  
24 14 compute the gallons used for the miles traveled in Iowa.

24 15 Failure to receive a quarterly report or fuel credentials by  
24 16 mail, facsimile transmission, or any other means of delivery  
24 17 does not relieve a person from the person's fuel tax liability  
24 18 or from the requirement to display current fuel credentials.

24 19 Sec. 36. Section 452A.68, unnumbered paragraph 2, Code  
24 20 2007, is amended to read as follows:

24 21 If a licensee abuses the privileges for which the license  
24 22 was issued, fails to produce records reasonably requested, ~~or~~  
24 23 fails to extend reasonable ~~co-operation~~ cooperation to the  
24 24 appropriate state agency, or has been suspended for nonpayment  
24 25 of fees under chapter 326 and still owes fees to the  
24 26 department, the licensee shall be advised in writing of a

24 27 hearing scheduled to determine if the license shall be  
24 28 canceled. The appropriate state agency upon the presentation  
24 29 of a preponderance of evidence may cancel a license for cause.

24 30 Sec. 37. SINGLE STATE REGISTRATION SYSTEM TERMINATION DATE  
24 31 == NOTICE TO CODE EDITOR. The state department of  
24 32 transportation shall notify the Code editor of the date  
24 33 determined by the secretary of the United States department of  
24 34 transportation to be the transition termination date which is  
24 35 established as the effective date of the repeal of section

25 1 327B.6, as amended in this Act.  
25 2 Sec. 38. IMPLEMENTATION OF PERMITTING PROCESS FOR CERTAIN  
25 3 SELF-PROPELLED IMPLEMENTS OF HUSBANDRY. The department of  
25 4 transportation shall begin accepting applications for permits  
25 5 required under section 321E.8A, as enacted in this Act, on or  
25 6 before June 1, 2007, and shall provide for the issuance of

25 7 those permits prior to July 1, 2007, to be effective July 1,  
25 8 2007.  
25 9 Sec. 39. 2006 Iowa Acts, chapter 1070, section 5, is  
25 10 repealed.  
25 11 Sec. 40. Sections 327B.4 and 327B.7, Code 2007, are  
25 12 repealed.  
25 13 Sec. 41. EFFECTIVE DATES.  
25 14 1. The section of this Act amending section 321.457, being  
25 15 deemed of immediate importance, takes effect upon enactment.  
25 16 2. The sections of this Act amending sections 327B.1 and  
25 17 327B.6, and repealing sections 327B.4 and 327B.7, being deemed  
25 18 of immediate importance, take effect upon enactment.  
25 19 3. The section of this Act repealing 2006 Iowa Acts,  
25 20 chapter 1070, section 5, being deemed of immediate importance,  
25 21 takes effect upon enactment.  
25 22 4. The sections of this Act amending sections 321.112 and  
25 23 321.115 take effect July 1, 2008.  
25 24 5. The section of this Act requiring the department of  
25 25 transportation to implement the permitting process for certain  
25 26 self-propelled implements of husbandry, being deemed of  
25 27 immediate importance, takes effect upon enactment.

25 28 DIVISION IV

25 29 REGIONAL TRANSIT DISTRICTS

25 30 Sec. 42. Section 28M.4, subsection 6, Code 2007, is  
25 31 amended to read as follows:  
25 32 6. ~~All moneys received by the commission Tax revenues~~  
25 33 ~~collected from a regional transit district levy shall be held~~  
25 34 ~~by the county treasurer in a separate fund. If more than one~~  
25 35 ~~county is participating in the regional transit district, the~~  
26 1 ~~moneys shall be paid to the county treasurer of the~~  
26 2 ~~participating county with the largest population. Moneys may~~  
26 3 ~~be paid out of the fund only at the direction of the~~  
26 4 ~~commission. Before the fifteenth day of each month, the~~  
26 5 ~~county treasurer shall send the amount collected for each fund~~  
26 6 ~~through the last day of the preceding month for direct deposit~~  
26 7 ~~into the depository and account designated by the commission.~~  
26 8 ~~The county treasurer shall send a notice to the secretary of~~  
26 9 ~~the commission or the secretary's designee stating the amount~~  
26 10 ~~deposited, the date, the amount to be credited to each fund~~  
26 11 ~~according to the budget, and the source of the revenue.~~

26 12 EXPLANATION

26 13 This bill contains provisions relating to the  
26 14 administration of highways and the regulation of motor  
26 15 vehicles by the state department of transportation.  
26 16 Division I == Highways == Code section 306C.11 is amended  
26 17 to allow businesses in a commercial or industrial development  
26 18 to place signs within or adjacent to the highway right-of-way  
26 19 anywhere within the development.  
26 20 Under current law, when the department moves to acquire  
26 21 property under eminent domain, an employee of the department  
26 22 who conducts an appraisal of the property must be a certified  
26 23 real estate appraiser. The bill amends Code section 543D.3 to  
26 24 allow such appraisals to be done by an employee who is a  
26 25 registered associate real estate appraiser acting under the  
26 26 direct supervision of a certified real estate appraiser.  
26 27 Division II == Land Surveying Standards == Code sections  
26 28 355.5, 355.7, and 355.8 are amended to reflect that the U.S.  
26 29 survey foot, rather than the international foot, is the land  
26 30 surveying standard for distance measurements.  
26 31 Division III == Motor Vehicles == Code section 321.16 is  
26 32 amended to allow a peace officer serving notice of suspension  
26 33 or revocation of a driver's license to destroy the license or  
26 34 send it to the department. Code section 321.206 is amended to  
26 35 permit a court to destroy a surrendered driver's license  
27 1 rather than forward it to the department.  
27 2 Code section 321.24 is amended to allow a county treasurer  
27 3 to issue a certificate of title for a vehicle with an  
27 4 unreleased security interest upon presentation of satisfactory  
27 5 evidence that the security interest has been extinguished or  
27 6 that the holder of the security interest cannot be located to  
27 7 release the security interest. Current law requires evidence  
27 8 of both the extinguishment of the security interest and that  
27 9 the holder cannot be located.  
27 10 Code section 321.34 is amended to require the department to  
27 11 make available special registration plates for recipients of  
27 12 the distinguished service cross, the navy cross, the air force  
27 13 cross, the soldier's medal, the sailor's medal, the navy and  
27 14 marine corps medal, and the airman's medal. Emblems for the  
27 15 plates shall be designed by the department in consultation  
27 16 with the adjutant general.  
27 17 The bill directs the treasurer of state to credit fees from

27 18 the sale of the new special plates and the existing special  
27 19 national guard, Pearl Harbor veteran, purple heart, armed  
27 20 forces retired, bronze star, and silver star plates to the  
27 21 veterans license fee fund. The plates are all subject to a  
27 22 special initial fee of \$25 and are renewed annually for a  
27 23 special fee of \$5 in addition to the regular annual  
27 24 registration fee. Currently, the special fees from the  
27 25 existing plates are deposited in the road use tax fund.

27 26 Code section 321.34 is further amended to specify that the  
27 27 owner of a motor vehicle who has been awarded the legion of  
27 28 merit is entitled to only one set of special legion of merit  
27 29 registration plates. This is consistent with provisions for  
27 30 congressional medal of honor plates and ex-prisoner of war  
27 31 plates which, like the legion of merit plates, are issued at  
27 32 no charge and entitle the owner to an annual motor vehicle  
27 33 registration fee of \$15. The bill also makes corrective  
27 34 amendment to references to the medal of honor.

27 35 Code section 321.52 is amended to allow a licensed vehicle  
28 1 recycler or a new motor vehicle dealer to assign or reassign a  
28 2 salvage certificate of title from another state without the  
28 3 issuance of an Iowa salvage certificate of title.

28 4 Code section 321.115 is amended to revise the registration  
28 5 requirements for antique motor vehicles. Under current law,  
28 6 the owner of a motor vehicle 25 years old or older who  
28 7 operates the vehicle only for exhibition or educational  
28 8 purposes may register the vehicle for an annual fee of \$5.  
28 9 The bill eliminates the \$5 fee along with the restricted use  
28 10 provisions and requires all such antique vehicles to be  
28 11 registered under the annual fee schedules provided for older  
28 12 vehicles. The owner of an antique motor vehicle may furnish  
28 13 and display authentic Iowa registration plates from the model  
28 14 year of the motor vehicle, approved by the department, so long  
28 15 as the current and valid Iowa plates and registration card are  
28 16 carried within the vehicle. The bill provides for  
28 17 registration of truck tractors and semitrailers as antique  
28 18 vehicles, and prohibits the use of such vehicles to haul  
28 19 loads. The bill makes a conforming amendment to Code section  
28 20 321.112. The amendments to requirements for antique motor  
28 21 vehicles take effect July 1, 2008.

28 22 The bill amends a provision in Code section 321.134 that  
28 23 allows the owners of trucks, truck tractors, and road tractors  
28 24 registered for a gross weight exceeding five tons to pay  
28 25 annual registration fees in two semiannual installments. The  
28 26 bill requires that if a registrant has paid the registration  
28 27 fee late for two consecutive years, annual payment is required  
28 28 for the next five years.

28 29 New Code section 321.453A prohibits enforcement of motor  
28 30 vehicle laws governing size, weight, and load for construction  
28 31 vehicles that are entering or exiting a construction area.  
28 32 The restriction on enforcement applies to any portion of a  
28 33 highway within 1,000 feet of the entrance to a construction  
28 34 area.

28 35 Code section 321.457 is amended to increase the maximum  
29 1 overall length allowed for a single truck, unladen or with  
29 2 load, from 40 feet to 41 feet, including the front and rear  
29 3 bumpers. The change is effective upon enactment of the bill.

29 4 The bill amends Code sections 321.463, 321E.2, and 321E.7,  
29 5 and adds new Code section 321E.8A to allow certain  
29 6 self-propelled implements of husbandry that are used for the  
29 7 application of fertilizers, and that, as newly manufactured,  
29 8 exceed axle weight limits when unloaded, to be operated  
29 9 unladen on noninterstate highways, excluding bridges, pursuant  
29 10 to a permit issued by the department of transportation. The  
29 11 permit allows a maximum single axle weight of 25,000 pounds.  
29 12 Permits shall be issued annually for operating in up to 10  
29 13 counties for periods beginning July 1 and ending June 30. The  
29 14 owner of the vehicle shall pay a fee of \$600 for each county  
29 15 in which the vehicle will be operated, up to a maximum of  
29 16 \$3,500 for the 12-month period. The permit fees for the  
29 17 vehicle shall be equally divided among the specified counties  
29 18 and deposited in the secondary road funds of those counties.  
29 19 Only vehicles purchased or ordered before February 1, 2007,  
29 20 are eligible for permits, which must be obtained prior to July  
29 21 1, 2007. After that date, no new permits shall be issued;  
29 22 however, the existing permit for a vehicle may be renewed  
29 23 annually upon payment of the appropriate county fees.  
29 24 Vehicles traveling under a permit are required to have the  
29 25 permit number displayed on the door of the vehicle and the  
29 26 permit carried in the vehicle. The owner of a vehicle that is  
29 27 operated without a permit, or that violates the restrictions  
29 28 under the permit, including operation on a bridge, is subject

29 29 to a civil penalty of \$10,000 in addition to other penalties  
29 30 that may apply. The bill requires the department to accept  
29 31 applications for permits by June 1, 2007, and issue the  
29 32 permits prior to July 1, 2007. This provision is effective  
29 33 upon enactment of the bill. The bill also amends Code section  
29 34 321.285 to clarify that those self-propelled implements of  
29 35 husbandry shall not be operated on a highway at a speed  
30 1 greater than 35 miles per hour.

30 2 The bill amends Code section 321J.4 to allow a person whose  
30 3 driver's license has been suspended or revoked for an offense  
30 4 of driving a motor vehicle while under suspension or  
30 5 revocation for operating while intoxicated to apply for a  
30 6 temporary restricted license without the requirement of an  
30 7 ignition interlock device, provided that 12 years have elapsed  
30 8 since the conclusion of the original period of suspension or  
30 9 revocation for the underlying offense of operating while  
30 10 intoxicated.

30 11 The bill amends Code sections 322.4 and 322.7 to modify the  
30 12 application requirements for a motor vehicle dealer license.  
30 13 Under current law, the application must contain the post  
30 14 office address of every partner if the business is a  
30 15 copartnership, or of each officer and director if the business  
30 16 is a corporation. The bill requires the bona fide address,  
30 17 rather than the post office address, of only two partners or  
30 18 two officers, as applicable. The bill omits the requirement  
30 19 that a license include the names and addresses of all  
30 20 partners.

30 21 Code section 326.10A is amended to permit the department to  
30 22 accept a corporate check from an approved company with a  
30 23 satisfactory payment history as payment of proportional  
30 24 registration fees for a commercial vehicle fleet following  
30 25 receipt of a dishonored check from the applicant. Currently,  
30 26 the only acceptable form of payment is with guaranteed funds.

30 27 Code section 326.16 is amended to specify that failure to  
30 28 receive a renewal notice or invoice by mail, facsimile  
30 29 transmission, or other means of delivery does not relieve a  
30 30 person from responsibility for payment of proportional  
30 31 registration fees, invoiced amounts, or penalties. A similar  
30 32 amendment to Code section 452A.54 specifies that failure to  
30 33 receive a quarterly report or fuel credentials by mail,  
30 34 facsimile transmission, or other means of delivery does not  
30 35 relieve a person from fuel tax liability for a commercial  
31 1 vehicle or the requirement to display fuel credentials.

31 2 New Code section 326.24 and the amendment to Code section  
31 3 452A.68 allow the department to impose sanctions on a carrier  
31 4 under both the international registration plan and  
31 5 international fuel tax agreement licensing provisions for  
31 6 unpaid debt under either program.

31 7 The bill amends Code section 327B.1 to authorize the  
31 8 department to participate in the unified carrier registration  
31 9 system established under federal law. Coordinating amendments  
31 10 repeal Code section 327B.4, which exempts private carriers  
31 11 from the current single state registration system, and Code  
31 12 section 327B.7, which provides for reciprocity agreements with  
31 13 other member states of an exempt commodity base state  
31 14 registration system. The bill also provides for immediate  
31 15 repeal of Code section 327B.6, relating to insurance and  
31 16 bonding requirements for exempt carriers under the single  
31 17 state registration system, upon the date established by the  
31 18 secretary of the United States department of transportation as  
31 19 the transition termination date for that registration system.

31 20 The bill repeals an amendment to Code section 321.25 passed  
31 21 in the 2006 legislative session that would have changed, from  
31 22 45 days to 60 days, the amount of time a vehicle could be  
31 23 operated on the highways bearing a "registration applied for"  
31 24 card. That 2006 amendment is scheduled to take effect July 1,  
31 25 2007.

31 26 Division IV == Regional Transit Districts == Code section  
31 27 28M.4 is amended to provide that tax revenues collected by a  
31 28 county treasurer from a regional transit district levy are  
31 29 held by the county treasurer. Before the 15th day of each  
31 30 month, revenues collected from the previous month shall be  
31 31 sent for direct deposit into the account designated by the  
31 32 regional transit commission, with notice sent to the secretary  
31 33 of the commission.

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